

**EDUCATOR SALARY AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor: Steven J. Lund

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**LONG TITLE**

**General Description:**

This bill makes additions to the appropriations calculation of certain educator salary programs.

**Highlighted Provisions:**

This bill:

- ▶ adds an appropriation adjustment for the educator salary adjustments and the Teacher Salary Supplement Program;
- ▶ modifies what constitutes an eligible teacher for purposes of the educator salary adjustments and the Teacher Salary Supplement Program; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53F-2-405**, as last amended by Laws of Utah 2022, Chapter 415

**53F-2-504**, as last amended by Laws of Utah 2021, Chapter 328

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*Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **53F-2-405** is amended to read:

29 **53F-2-405. Educator salary adjustments.**

30 (1) As used in this section, "educator" means a person employed by a school district,  
31 charter school, or the Utah Schools for the Deaf and the Blind who holds:

32 (a) (i) a license issued by the state board; and

33 (ii) a position as a:

34 (A) classroom teacher;

35 (B) speech pathologist;

36 (C) librarian or media specialist;

37 (D) preschool teacher;

38 (E) mentor teacher;

39 (F) teacher specialist or teacher leader;

40 (G) guidance counselor;

41 (H) audiologist;

42 (I) psychologist; or

43 (J) social worker; or

44 (b) (i) a license issued by the Division of Professional Licensing; and

45 (ii) a position as a social worker.

46 (2) In recognition of the need to attract and retain highly skilled and dedicated  
47 educators, the Legislature shall annually appropriate money for educator salary adjustments,  
48 subject to future budget constraints.

49 (3) Money appropriated to the state board for educator salary adjustments shall be  
50 distributed to school districts, charter schools, and the Utah Schools for the Deaf and the Blind  
51 in proportion to the number of full-time-equivalent educator positions in a school district, a  
52 charter school, or the Utah Schools for the Deaf and the Blind as compared to the total number  
53 of full-time-equivalent educator positions in school districts, charter schools, and the Utah  
54 Schools for the Deaf and the Blind.

55 (4) A school district, a charter school, or the Utah Schools for the Deaf and the Blind  
56 shall award bonuses to educators as follows:

57 (a) the amount of the salary adjustment shall be the same for each full-time-equivalent  
58 educator position in the school district, charter school, or the Utah Schools for the Deaf and the

59 Blind;

60 (b) an individual who is not a full-time educator shall receive a partial salary  
61 adjustment based on the number of hours the individual works as an educator; [~~and~~]

62 (c) a salary adjustment may not be awarded [~~only to~~] if an educator [~~who~~] has received  
63 [~~a satisfactory~~] an unsatisfactory rating [~~or above~~] on the educator's three most recent  
64 [~~evaluation.~~] evaluations; and

65 (d) for a fiscal year beginning on or after July 1, 2024, the amount of the salary  
66 adjustment is equal to:

67 (i) the amount of salary adjustment in the preceding fiscal year; and

68 (ii) a percentage increase that is equal to the percentage increase in the value of the  
69 WPU in the preceding fiscal year.

70 (5) The state board may make rules as necessary to administer this section in  
71 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

72 (6) (a) Subject to future budget constraints, the Legislature shall appropriate sufficient  
73 money each year to:

74 (i) maintain educator salary adjustments provided in prior years; and

75 (ii) provide educator salary adjustments to new employees.

76 (b) Money appropriated for educator salary adjustments shall include money for the  
77 following employer-paid benefits:

78 (i) retirement;

79 (ii) worker's compensation;

80 (iii) social security; and

81 (iv) Medicare.

82 (7) (a) Subject to future budget constraints, the Legislature shall:

83 (i) maintain the salary adjustments provided to school administrators in the 2007-08  
84 school year; and

85 (ii) provide salary adjustments for new school administrators in the same amount as  
86 provided for existing school administrators.

87 (b) The appropriation provided for educator salary adjustments shall include salary  
88 adjustments for school administrators as specified in Subsection (7)(a).

89 (c) In distributing and awarding salary adjustments for school administrators, the state

90 board, a school district, a charter school, or the Utah Schools for the Deaf and the Blind shall  
91 comply with the requirements for the distribution and award of educator salary adjustments as  
92 provided in Subsections (3) and (4).

93 Section 2. Section **53F-2-504** is amended to read:

94 **53F-2-504. Teacher Salary Supplement Program.**

95 (1) As used in this section:

96 (a) "Eligible teacher" means a teacher who:

97 (i) has a qualifying educational background or qualifying teaching background;

98 (ii) has a supplement-approved assignment that corresponds to the teacher's qualifying  
99 educational background or qualifying teaching background;

100 (iii) qualifies for the teacher's supplement-approved assignment in accordance with  
101 state board rule; ~~[and]~~

102 (iv) is a new employee; or

103 (v) has not received [at least a satisfactory] an unsatisfactory rating on the teacher's  
104 three most recent [evaluation] evaluations.

105 (b) "Field of computer science" means:

106 (i) computer science; or

107 (ii) computer information technology.

108 (c) "Field of science" means:

109 (i) integrated science;

110 (ii) chemistry;

111 (iii) physics;

112 (iv) physical science; or

113 (v) general science.

114 (d) "Qualifying educational background" means:

115 (i) for a teacher who is assigned a secondary school level mathematics course:

116 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

117 (B) a bachelor's degree major, master's degree, or doctoral degree that has course

118 requirements that are substantially equivalent to the course requirements for a bachelor's degree  
119 major, master's degree, or doctoral degree in mathematics;

120 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry

121 course, or physics course:

122 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science;

123 or

124 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
125 requirements that are substantially equivalent to the course requirements of those required for a  
126 bachelor's degree major, master's degree, or doctoral degree in a field of science;

127 (iii) for a teacher who is assigned a computer science course:

128 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of  
129 computer science; or

130 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
131 requirements that are substantially equivalent to the course requirements of those required for a  
132 bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or

133 (iv) for a teacher who is assigned to teach special education, a bachelor's degree major,  
134 master's degree, or doctoral degree in special education.

135 (e) "Qualifying teaching background" means:

136 (i) the teacher has been teaching the same supplement-approved assignment in Utah  
137 public schools for at least 10 years; or

138 (ii) the teacher has a professional deaf education license issued by the state board.

139 (f) "Supplement-approved assignment" means an assignment to teach:

140 (i) a secondary school level mathematics course;

141 (ii) integrated science in grade 7 or 8;

142 (iii) chemistry;

143 (iv) physics;

144 (v) computer science;

145 (vi) special education; or

146 (vii) deaf education.

147 (2) (a) Subject to future budget constraints, the Legislature shall:

148 (i) annually appropriate money to the Teacher Salary Supplement Program to maintain  
149 annual salary supplements for eligible teachers provided in previous years; and

150 (ii) provide salary supplements to new recipients.

151 (b) Money appropriated for the Teacher Salary Supplement Program shall include

152 money for the following employer-paid benefits:

- 153 (i) retirement;
- 154 (ii) workers' compensation;
- 155 (iii) Social Security; and
- 156 (iv) Medicare.

157 (3) (a) The annual salary supplement for an eligible teacher who is assigned full-time  
158 to a supplement-approved assignment is:

159 (i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an

160 appropriation described in Subsection (2); and

161 (ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:

162 (A) the amount of the annual salary supplement in the preceding fiscal year; and

163 (B) a percentage increase that is equal to the percentage increase in the value of the

164 WPU in the preceding fiscal year.

165 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment  
166 shall receive a partial salary supplement based on the number of hours worked in the  
167 supplement-approved assignment.

168 (4) The state board shall:

169 (a) create an online application system for a teacher to apply to receive a salary  
170 supplement through the Teacher Salary Supplement Program;

171 (b) determine if a teacher is an eligible teacher;

172 (c) verify, as needed, the determinations made under Subsection (4)(b) with school  
173 district and school administrators; and

174 (d) certify a list of eligible teachers.

175 (5) An eligible teacher shall apply to the state board, as provided by the board to  
176 receive the salary supplement authorized in this section in accordance with state board rule  
177 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

178 (6) (a) The state board shall establish and administer an appeal process for a teacher to  
179 follow if the teacher applies for a salary supplement and does not receive a salary supplement  
180 under Subsection (8).

181 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to  
182 appeal eligibility as an eligible teacher with a qualifying educational background on the basis

183 that the teacher has a degree or degree major with course requirements that are substantially  
184 equivalent to the qualifying educational background associated with the teacher's  
185 supplement-approved assignment.

186 (ii) A teacher shall provide transcripts and other documentation to the state board in  
187 order for the state board to determine if the teacher has a degree or degree major with course  
188 requirements that are substantially equivalent to the qualifying educational background  
189 associated with the teacher's supplement-approved assignment.

190 (c) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to  
191 appeal eligibility as an eligible teacher with a qualifying teaching background on the basis that  
192 the teacher has a qualifying teaching background.

193 (ii) The teacher shall provide to the state board evidence to verify that the teacher has a  
194 qualifying teaching background.

195 (7) (a) The state board shall distribute money appropriated to the Teacher Salary  
196 Supplement Program to school districts and charter schools for the Teacher Salary Supplement  
197 Program in accordance with the provisions of this section.

198 (b) The state board shall include the employer-paid benefits described under  
199 Subsection (2)(b) in the amount of each salary supplement.

200 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the  
201 salary supplement limits described under Subsection (3).

202 (8) (a) Money received from the Teacher Salary Supplement Program shall be used by  
203 a school district or charter school to provide a salary supplement equal to the amount specified  
204 in Subsection (3) for each eligible teacher.

205 (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible  
206 teacher's qualification as an eligible teacher every year, semester, or trimester.

207 (9) Notwithstanding the provisions of this section, if the appropriation for the program  
208 is insufficient to cover the costs associated with salary supplements, the state board may  
209 distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.

210 **Section 3. Effective date.**

211 This bill takes effect on July 1, 2023.